

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JENNA BURTON, D.O.,

Plaintiff,

Case No. 3:23-cv-185

vs.

KETTERING ADVENTIST
HEALTHCARE, *et al.*,

District Judge Michael J. Newman
Magistrate Judge Peter B. Silvain, Jr.

Defendants.

ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE (Doc. No. 13); (2) DISMISSING PLAINTIFF'S COMPLAINT (Doc. No. 6); AND (3) TERMINATING THIS CASE ON THE COURT'S DOCKET

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Peter B. Silvain, Jr. (Doc. No. 13), to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing objections under Fed. R. Civ. P. 72(b) has expired, it is hereby **ORDERED** that: (1) the Report and Recommendation is **ADOPTED**; (2) Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute; and (3) this case is **TERMINATED** on the Court's docket. The Court **CERTIFIES**, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal of this Order would not be taken in good faith, and consequently, **DENIES** Plaintiff leave to appeal *in forma pauperis*.

IT IS SO ORDERED.

May 31, 2024

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge